

## UNITED STATES DISTRICT COURT

for the

District of Utah

The Wizard Trades, LLC, a Utah Limited Liability  
Company and Michael Hubbs, an individual

\_\_\_\_\_  
Plaintiff(s)

v.

Charlton Lachase, an individual, Andra Rush, an  
individual, Steven Duhon, an individual, and Brian  
Hertneky, an individual

\_\_\_\_\_  
Defendant(s)

Server Joshua Pitts.Date 4-11-23 Time 7:37pP/S Susan Hertneky, mother.ANDERSON INVESTIGATIONS, INC #P101391  
PO. BOX 535, SLC, UT 84110 877-619-1110

Civil Action No. 2:23-cv-00207-DAO

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Brian Hertneky  
108 Chelmsford Dr.  
Aurora, OH 44202

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Randall B. Bateman  
BATEMAN IP  
299 South Main Street, Suite 1300  
Salt Lake City, UT 84110

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Gary P. Serdar

CLERK OF COURT

Date: 04/05/2023

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

**RETURN OF SERVICE**  
**UNITED STATES DISTRICT COURT**  
**District of Utah**

Case Number: 2:23-CV-00207-DAO

Plaintiff: **The Wizard Trades, LLC, a Utah Limited Liability Company and Michael Hubbs, an individual**

vs.

Defendant: **Charlton Lachase, an individual, Andra Rush, an individual, Steven Duhon, an individual, and Brian Hertneky, an individual**

For: **Randall B. Bateman**  
**BATEMAN IP**

Received by ANDERSON INVESTIGATIONS, INC. on the 5th day of April, 2023 at 4:03 pm to be served on **BRIAN HERTNEKY, 108 Chelmsford Dr, Aurora, OH 44202. I, JOSHUA PITTS**, do hereby affirm that on the 11 day of APRIL, 2023 at 7:37 P.m., executed service by delivering a true copy of the **SUMMONS & COMPLAINT AND JURY DEMAND; CIVIL COVER SHEET**; in accordance with state statutes in the manner marked below:

( ) INDIVIDUAL SERVICE: Served the within-named person.

☒ SUBSTITUTE SERVICE: By serving SUSAN HERTNEKY as MOTHER FOR BRIAN HERTNEKY

( ) OTHER SERVICE: As described in the Comments below by serving \_\_\_\_\_ as \_\_\_\_\_

( ) POSTED SERVICE: To a conspicuous place on the property described herein.

( ) NON SERVICE: For the reason detailed in the Comments below.

The individual being served ( ) is ☒ is not in the MILITARY service of the United States.

The individual being served ( ) is ( ) is not Married.

COMMENTS: UNKNOWN

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was executed. Pursuant to Utah Code Annotated 78-B-5-705, I declare under criminal penalty that the foregoing is true and correct.

JOSHUA PITTS  
PROCESS SERVER # N/A (OHIO)  
Appointed in accordance with State Statutes

**ANDERSON INVESTIGATIONS, INC.**  
**P.O. BOX 535**  
**Salt Lake City, UT 84110**  
**(801) 619-1110**

Our Job Serial Number: 2023001462  
Ref: 8197LT